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INFO RUEHZS/ASEAN REGIONAL FORUM COLLECTIVE
RUEHHM/AMCONSUL HO CHI MINH CITY 0271

C O N F I D E N T I A L SECTION 01 OF 08 HANOI 000011

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STATE FOR EAP/MLS, INR/EAP

E.O. 12958: DECL: 01/04/2015

TAGS: [PROG](#) [PINR](#) [VM](#)

SUBJECT: COMMUNIST PARTY PROPOSES CHANGES TO STATUTES,
INCLUDING WELCOMING CAPITALISTS

REF: A. 05 HANOI 2967

[1](#)B. 05 HANOI 2063

[1](#)C. 05 HANOI 256

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Classified By: Ambassador Michael W. Marine per 1.4 (b), (d)

[1](#)1. (C) Summary: In preparation for its National Congress later this year, the Communist Party recently circulated for discussion a number of proposed amendments to its statutes. Post obtained a copy of these proposed changes. Significantly, the Party is proposing to admit capitalists to its ranks, expand its role to become the vanguard of the entire nation (as opposed to just the working class), tighten regulations combating corruption and increase Party control over military Party committees. Missing from the proposed changes is the (previously rumored) removal of Marxism-Leninism as a Party tenet and the equivalent elevation of Ho Chi Minh Thought as the Party's sole foundation. End Summary.

[1](#)2. (C) Post recently obtained from a local contact the Communist Party of Vietnam's (CPV) proposed changes to its governing Party Statutes (relevant selections from the Party Statutes and proposed amendments are in paragraph 8; full text of the statutes and proposed changes e-mailed to EAP/MLS). These proposed amendments and supplements to the statutes, marked "secret," were prepared last year for discussion at provincial and local CPV congresses, the last of which are scheduled to wrap up later this month. The proposed changes will ultimately be approved or rejected at this year's National Party Congress. There are several significant proposed changes to the statutes. Among them:

[1](#)3. (C) Opening the door for Party members to participate in capitalist activities (and for capitalists to become Party members). A proposed change to Article 1's language on qualifications for Party membership spells out that Party members who are in business (including "capitalist business activities") must abide by Party Statutes and State law. However, lest anyone think that this tacit approval of capitalists' joining the ranks of the Party means that the CPV has lost its revolutionary zeal, explanatory language attached to the proposed statute changes notes that "allowing capitalist activities does not equate with capitalism" and "capitalist activities are necessary to achieving Vietnam's goal of a socialism-oriented market economy." Furthermore, proposed changes elsewhere in the Party Statutes specifically prohibit "((capitalist)) exploitation of man by man."

[1](#)4. (C) Expanding the CPV's representative mandate. A proposed change in the Introduction's second paragraph expands the CPV's role from "vanguard brigade of the working

class" to that of the "working class and the nation." While small, the change reflects an attempt by the Party to widen its appeal and strengthen a role in Vietnamese society that some in the Party may fear is diminishing.

15. (C) Tightening Party regulations against corruption. Extensive proposed changes in Articles 30 to 40, which cover Party control, supervision and disciplinary actions, reveal the depth of Party concern about corruption and mismanagement among Party cadres. Perhaps no issue is of greater concern to the Party than the impact of corruption on Party legitimacy, and the strengthening of the Party Statutes in this regard is an attempt to bolster public confidence in the CPV and its ability to police itself.

16. (C) Increasing Party control over military party committees. A set of likely controversial proposed changes deals with the Party's day-to-day control over military and security units. The Party Statutes currently require local civilian Party officials to be members of the equivalent military Party committees. However, proposed changes to Article 27 require the local civilian Party chief to assume the role of Party chief of the equivalent military unit. Changes to Article 29 would require the local deputy Party chief to assume a senior role in the equivalent public security party cell.

17. (C) Comment: Significantly, absent among the proposed changes is the (previously rumored) removal of Marxism-Leninism as a Party tenet and the corresponding elevation of Ho Chi Minh Thought as the sole foundation of the CPV. That said, it is still possible that this change will make its way into the Party Statutes' amendments presented at the Party Congress. In addition to the draft Party Statutes changes, Post also received a copy of the Party's draft Political Report, which was also to have been discussed at the local and provincial Party congresses. We

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will report septel on the draft Political Report and will seek local reactions to the proposed changes outlined above.
End Comment.

18. (C) Begin select text of Party Statutes and proposed revisions. Proposed changes are in double brackets. Full text e-mailed to EAP/MLS.

Statutes of the Communist Party of Vietnam

Introduction: The Party and Fundamental Issues of Party Building

Founded and trained by Comrade Ho Chi Minh, the Communist Party of Vietnam (CPV) has succeeded in leading the people in conducting the August Revolution that resulted in: the founding of the Democratic Republic of Vietnam (now known as the Socialist Republic of Vietnam); in winning various wars of aggression; eradicating the colonialist and feudalism regime; accomplishing the cause of national liberation and reunification; carrying out the renovation process; building socialism; and, firmly defending national independence.

The Party is a vanguard brigade of the Vietnamese working class, a loyal representative of the interests of the working class and working people and of the entire nation as a whole.

((Option 1: The Communist Party of Vietnam has the nature of the Vietnamese working class, is a vanguard brigade of the working class as well as the working people and the nation and is a loyal representative of the interests of the working class and working people and of the entire nation of Vietnam.

-- Option 2: The Communist Party of Vietnam is a vanguard brigade of the working class, as well as the working people and the nation of Vietnam.

-- Option 3: Keep the existing provisions.))

The goals of the Party are to build an independent, democratic, prosperous and powerful Vietnam with an equitable and civilized society and to successfully practice socialism and ultimately communism.

((-- Option 1: The goals of the Party are to build an independent, democratic, prosperous and powerful Vietnam with an equitable and civilized society and to successfully practice socialism and ultimately communism, and the abolishment of the exploitation of man by man.

-- Option 2: Keep the existing provisions.))

The Party regards Marxism-Leninism and Ho Chi Minh Thought as an ideological foundation and a beacon for its activities, develops the fine traditions of the nation, absorbs the intellectual quintessence of humanity and firmly grasps the objective law and the contemporary trends and the country's realities in order to come up with a correct political platform and revolutionary line suitable to the people's aspirations.

The Party is a close-knit organization, united in willpower and action, considers democratic centralism as the fundamental organizational principle, practices collective leadership and individual accountability, self-criticism and criticism, treasures comradeship, implements proper discipline and preserves unity on the basis of the Political Program and the Statutes of the Party.

((-- Option 1: The Party is a close-knit organization, united in willpower and action, considers democratic centralism as the fundamental organizational principle, practices collective leadership and individual accountability, self-criticism and criticism, treasures comradeship, implements proper discipline and applies at the same time the following regulations of principle: self-criticism and criticism; preserves unity on the basis of the Political Program and the Statutes of the Party; maintains the close relationship with the people; the Party operates within the framework of the Constitution and the law.

-- Option 2: Keep the existing provisions.))

The CPV is the ruling party. The Party attaches itself closely to the people, respects and develops the latter's right to be master and subjects itself to the people's supervision. The Party depends on the people for its unit building. It is duty-bound to unite and lead the people in carrying out the revolutionary undertaking. The Party rules

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the political system and concurrently serves as a component part of that political system. The Party leads the State and respects and develops the role of the state, the Vietnam Fatherland Front and various political and social organizations. The Party operates within the framework of the Constitution and laws.

((Proposed changes: The CPV is the ruling party, ((Delete: The Party attaches itself closely to the people)) respects and develops the people's right to be master and subjects itself to the people's supervision. The Party depends on the people for its unit building. It is duty-bound to unite and lead the people in carrying out the revolutionary undertaking. The Party rules the political system and concurrently serves as a component part of that political system. The Party leads the state and respects and develops the role of the state, the Vietnam Fatherland Front, and various political and social organizations. ((Delete: The Party operates within the framework of the Constitution and laws.))

--Option 2: Keep the existing provisions.))

The Party incorporates the genuine patriotism with the pure internationalism of the working class and contributes positively to the cause of peace, national independence, democracy and social progress of the world's people. The CPV is made strong politically, ideologically and organizationally; to regularly renovate and rectify itself; and to constantly improve its militancy and its ability to lead the revolution.

Chapter I

Membership

Article 1:

-- 1. A member of the CPV is a revolutionary fighter in the vanguard of the Vietnamese working class, who devotes his (her) whole life to struggling for the goals and ideals of the Party, places the interests of the Fatherland, working class, and laboring people above that of individuals. He (she) scrupulously implements the Political Program, the Party Statutes and resolutions and State law. He (she) must engage in labor and must refrain from exploitation, satisfactorily fulfill his (her) assigned missions, observe an ethical and wholesome lifestyle and maintain close relations with the people. He (she) must be subject himself (herself) to the Party's organizational discipline and preserve unity and unanimity within the Party.

((-- Option 1: A member of the CPV is a revolutionary fighter in the vanguard of the Vietnamese working class, who devotes his (her) whole life to struggling for the goals and ideals of the Party, places the interests of the Fatherland, working class, and laboring people above that of individuals. He (she) scrupulously implements the Political Program, the Party Statutes and resolutions, and State law. He (she) must engage in labor and ((Delete: Must refrain from exploitation)) satisfactorily fulfill his (her) assigned missions, observe an ethical and wholesome lifestyle and maintain close relations with the people. He (she) must be subject himself (herself) to the Party's organizational discipline and preserve unity and unanimity within the Party.

A Party member who does private business (including capitalist private business) must abide by the Party Statutes, the State law as well as other regulations of the Party.

-- Option 2: Keep the existing provisions.))

Chapter VI

Party Organizations in the Vietnam People's Army and the Vietnam People's Security Forces

Article 27:

-- 1. Party committees in units of the regular forces and the border guards shall be elected by the congresses at the corresponding levels and shall exercise leadership over units in all aspects at their respective level; in special cases, they shall be designated by higher-level Party committees.

-- 2. A military zone Party committee shall be composed of Party members working in the zone's Party organization and elected by the congress at the corresponding level and the secretaries of provincial and city Party committees in the

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areas covered by the military zone who are designated to join; it shall exercise leadership over the implementation of resolutions of higher levels, the tasks of building up the all-people defense system and the people's armed forces; and, coordinate with local Party committees in executing Party

lines and policies in the zone.

-- 3. Party organization in local military bodies and Party organizations at various levels shall be placed under the leadership in every respect of the local Party committees at the corresponding level, while implementing resolutions of the higher-level military Party committees on the all-people national defense tasks and local military affairs. Higher-level political bodies shall coordinate with local Party committees in guiding Party affairs, political work and mass mobilization in the local armed forces.

-- 4. The military Party committees of provinces, cities, districts and towns shall include Party members working in the local military Party organization and elected by the congress at the corresponding level, the secretary of the local Party committee, and a number of Party members working outside the local military Party organization, but designated to join in conformity with stipulations by the Central Committee.

((-- Option 1: The military Party committees of provinces, cities, districts and towns shall include Party members working in the local military Party organization and elected by the congress at the corresponding level, the secretary of the local Party committee and a number of Party members working outside the local military Party organization, but designated to join. The secretary of the local Party committee of provinces, cities, districts and towns shall hold the post of secretary of the military Party committee at the corresponding level. Where there are border guards, the deputy secretary of the Party Committee, who is chairman of the provincial people's committee, shall be designated to join the standing board of the border guard Party committee of provinces.

-- Option 2: The military Party committees of provinces, cities, districts and towns shall include Party members working in the local military Party organization and elected by the congress at the corresponding level, the secretary of the local Party committee and a number of Party members working outside the local military Party organization, but designated to join. The secretary of the local Party committee of provinces, cities, districts and towns shall hold the post of secretary of the military Party committee at the corresponding level. Where there are border guards, the deputy secretary of the Party Committee, who is chairman of the provincial people's committee, shall be designated to be responsible for the Party committee of provincial border guards.

-- Option 3: The military Party committees of provinces, cities, districts and towns shall include Party members working in the local military Party organization and elected by the congress at the corresponding level, the secretary of the local Party committee and a number of Party members working outside the local military Party organization, but designated to join. The secretary of the local Party committee of provinces, cities, districts and towns shall hold the post of secretary of the military Party committee at the corresponding level. Where there are border guards, the standing deputy secretary of the Party Committee shall be designated to be responsible for the Party committee of provincial border guards.

-- Option 4: keep the existing provisions.))

Article 29:

-- 1. Local public security Party organizations are placed under the direct and comprehensive leadership of the local Party committee at the corresponding level and, at the same time, are responsible for implementing resolutions of their higher-level security forces Party committees on the preservation of political security and social order and safety. They shall exercise leadership over the building up of local people's security forces and of pure and steadfast Party organizations.

-- 2. Public security forces Party committees of provinces, cities, districts and towns shall be elected by the congress at the corresponding level and shall include a standing board member of the Party committee of the province, city, district and town who is designated to join.

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((-- Option 1: Public security forces Party committees of provinces, cities, districts and towns shall be elected by the congress at the corresponding level and the standing deputy secretary of the Party committee of province, city, district and town shall be designated to join the standing board of the public security forces Party committees at the corresponding level.

-- Option 2: Public security forces Party committees of provinces, cities, districts and towns shall be elected by the congress at the corresponding level and the standing deputy secretary of the Party committee of province, city, district and town shall be designated to be responsible for the public security forces Party committees at the corresponding level.

-- Option 3: Public security forces Party committees of provinces, cities, districts and towns shall be elected by the congress at the corresponding level and the standing deputy secretary of the Party committee who is chairman of the people's committee of province, city, district and town shall be designated to be responsible for the public security forces Party committees at the corresponding level.

-- Option 4: keep the existing provisions.))

Chapter VII

The Party's Control Work and Control Commissions at Various Levels

Article 30:

-- 1. Control constitutes one of the leadership functions of the Party. Party organizations must conduct the control work. Party organizations and Party members shall be subject to the control by the Party.

((Proposed changes: Control and supervision constitute the leadership functions of the Party. Party organizations must conduct the control and supervision work. Party organizations and Party members shall be subject to the control and supervision by the Party.))

-- 2. Party committees at various levels exercise leadership over the control work and organize the exercise of control tasks to ensure that Party organizations and Party members observe the Party's Political Program, Statutes, resolutions and directives.

((-- Option 1: Party committees at various levels exercise the leadership over the control and supervision work and organize control and supervision tasks to ensure that Party organizations and Party members observe the Party's Political Program, Statutes, resolutions and directives.

Option 2: Keep the existing provisions.))

Article 32:

Control commissions at various levels shall have the following tasks:

-- 1. To control Party members, including those of Party committees of the same level, who show signs of violating Party member standards and Party committee member standards while performing Party members duties;

-- 2. To control lower-level Party organizations where there are signs of violating observation of the Party's Political Program, Statutes, resolutions and directives and organizational principles and control the conduct of control work and observation of discipline within the Party;

((-- Option 1: To add a new paragraph 3, as follows: &3. To supervise Party committee member at the corresponding level, officials who are under the management of the Party committee at the corresponding level and lower-level Party committees in their implementation of the Party policies and lines, resolutions of the Party committee and their morality and lifestyle as stipulated by the Central Committee;))

-- 3. To examine and draw conclusions on breaches of discipline, decide on or recommend disciplinary measures to Party committees;

-- 4. To handle denunciations against Party organizations and members and handle complaints related to Party disciplinary

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punishment;

-- 5. To audit the financial work of lower-level Party committees and of the financial bodies of the same level.

Chapter VIII

Rewards and Disciplines

Article 35:

-- 1. Discipline-breaching Party organizations and Party members shall be subject to fair, accurate and timely disciplinary punishments.

-- 2. Forms of disciplinary measures:

For Party organizations: reprimand, warning, dissolution;

For full Party members: reprimand, warning, removal from office, expulsion from the Party;

For probationary Party members: reprimand, warning.

((-- Option 1: Keep the existing provisions.

-- Option 2: Forms of disciplinary measures:

For Party organizations: reprimand, warning, dissolution;

For full Party members: reprimand, warning, removal from office, temporary suspension of membership, expulsion from the Party;

For probationary Party members: reprimand, warning.

Article 36:

Authority for disciplinary punishments against discipline-breaching Party members:

-- 1. A Party cell can decide on reprimand or warning against its own members.

((-- Option 1. Proposed changed: A Party cell can decide on a reprimand or warning against its own members (including Party committee members at various levels and Party members who are under the management of the higher-level Party committee) who violate political quality, ideology, morality or lifestyle, and breach discipline while participating in Party life and exercising the Party member's tasks (except for those tasks that are assigned by higher-levels).

A grassroots Party committee shall decide on a reprimand or warning against members of the grassroots Party organization, and on removal from office of lower-level Party committee members.

A grassroots Party committee authorized to decide on admission shall be authorized to decide expulsions of Party members, except for its own Committee members or Party members who are officially under the management of higher-level Party committees.

-- Option 2: keep the existing provisions.))

-- 2. A Party committee at provincial, city, district and equivalent levels shall decide on disciplinary measures against Party members and decide on a reprimand or warning against members of Party committee of the same level. A Party Committee Standing Board shall decide on various forms of disciplinary measures against Party members and decide on a reprimand or warning to Party members who are officials under the management of higher-level Party committees but not members of corresponding-level Party committee.

-- 3. The Party Central Committee shall decide on various forms of disciplinary measures against Party members, including those of the Party Central Committee and the Political Bureau.
The Political Bureau and Secretariat shall decide on various forms of disciplinary measures against Party members, including those who are under the management of the Political Bureau and Secretariat, but not members of the Party Central Committee.

-- 4. Control commissions in rural or urban districts or equivalent and higher levels shall decide on various forms of disciplinary measures against Party members, but not members

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of corresponding-level Party committees, and decide on a reprimand or warning against Party members who are under the management of corresponding-level Party committees or members of immediate lower-level Party committees.

-- 5. Higher-level Party committees and control commissions shall be entitled to ratify, modify or abolish disciplinary measures decided by lower levels.

-- 6. If the disciplinary measure of removal from office is to be applied to a Party member holding many positions, one or more positions shall be removed, depending on the degree and nature of his offense.

Article 38:

-- 1. If a discipline-breaching Party organization and a Party member do not fall under a certain level's authority for jurisdiction, the cases shall be referred to an authorized level for decision.

-- 2. In cases where a lower-level Party organization does not take action or fails to take appropriate action against a disciplinary-breaching Party organization and Party member, a higher-level Party committee or control commission shall decide on disciplinary measures in keeping its authority and examine the responsibility of the Party organization in question.

-- 3. Dissolution of a Party organization and expulsion of a Party member shall be recommended by at least two-thirds of the members of the lower-level Party committee and decided by the authorized Party organization.

Article 39:

-- 1. A discipline-breaching Party member shall have to make self-criticism before the Party cell and propose for himself

(herself) a disciplinary measure. If he (she) refuses self-criticism or is under temporary detention, the Party organization shall still consider disciplinary punishment. In case of necessity, disciplinary measures shall be considered and decided upon directly by the authorized Party committee and control commission.

-- 2. A discipline-breaching Party organization shall have to make self-criticism, propose a disciplinary measure for itself and report this to the higher-level Party committee for decision.

-- 3. Before deciding on disciplinary measures, the representatives of the authorized Party organization shall listen to the discipline-breaching Party member or representative of the discipline-breaching Party organization.

-- 4. A disciplinary decision by a lower level against a discipline-breaching Party organization or Party member shall be reported to the Party committee and control commission of its immediate higher level. If the Party member in question takes part in various leading bodies of the Party, such a report shall be addressed to the higher-level bodies in which that Party member serves.

-- 5. A disciplinary decision by a higher level against discipline-breaching Party organization and member shall be reported to the lower level to which those organization and member belong; in cases a wide notification is needed, the decision shall be made by the authorized Party committee.

-- 6. Disciplinary measures against a discipline-breaching Party organization and member shall go into effect immediately upon announcement of the decision.

-- 7. A Party organization or Party member that disagrees with the disciplinary decision shall be entitled, within one month after receipt of the decision, to lodge a complaint to higher-level Party committee or control commission up to the Central Committee.

The settlement of complaints about disciplinary decision shall be carried out as stipulated by the Central Committee.

((-- Option 1. Proposed changes: A Party organization or Party member that disagrees with the disciplinary decision shall be entitled, within one month after receipt of the decision, to lodge a complaint to higher-level Party committee or control commission up to the Central Committee. The Party committee that is two levels higher than those that issued the decision will have ultimate decision; the Party's

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Central Committee shall handle the complaint if it is lodged by a Central Committee member. The settlement of complaints about disciplinary decision shall be carried out as stipulated by the Central Committee.

Option 2: keep the existing provisions.))

-- 8. Upon receiving a complaint against a disciplinary decision, the Party committee or control commission concerned shall acknowledge receipt of the complaint and shall, within three months at the latest for the provincial, city, district and equivalent level, and within six months for the central level, consider and settle the complaint and notify the plaintiff.

-- 9. Pending settlement of the complaint, the Party organization or Party member subject to disciplinary punishment shall have to implement strictly the disciplinary decision.

End Select Text.
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